

A. G. Contract No. KR910261TRD

ECS File: JPA 91-18

Project: ~~SR-95~~ *US 89, US 89B, SR287*

Section: ~~Bullhead City~~

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE STATE OF ARIZONA

AND

~~THE CITY OF BULLHEAD CITY~~

*Town of Florence*

THIS AGREEMENT is entered into 2 July, 1991, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the City of BULLHEAD CITY, acting by and through its City Council (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The ~~City~~ <sup>Town</sup> is empowered by Arizona Revised Statutes Section 48-572 and City Code Section 2-1-2 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the ~~City~~ <sup>Town</sup>.

3. The State and ~~City~~ <sup>Town</sup> desire to define their respective responsibilities for the maintenance of ~~SR-95~~ <sup>US 89, 89B, 287</sup> within the ~~City~~ <sup>Town</sup>.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. <u>15790</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>07/02/91</u>
<u>Richard Mahoney</u> Secretary of State
By <u>Wing V. Greenwell</u>

II. SCOPE OF WORK

## 1. The State will:

US 89, 89-B, SR 287, SR 95 a. Be responsible for any required betterments to including; reconstruction of roadway, curbs, medians and traffic channelization and striping; bridges and drainage; guardrails and fences; speed and State Route traffic control signs (except as outlined in 2. a. and b. herein); transportation permits (such as overweight, overwidth and overheight, as prescribed by law); and permits for highway right of way encroachments and use.

b. Provide the <sup>Town</sup> ~~City~~ stop signs for streets that intersect ~~SR 95~~ and replacements as required and requested.

US 89, 89-B, SR 287

2. The ~~City~~ will:

<sup>Town</sup>

a. Provide routine maintenance for sidewalk repair and replacement and routine sweeping and cleaning; street sweeping over and above that which is provided by the State and is deemed necessary by the City; traffic control signs other than speed and State Route signs; curb markings; parking striping; parking signs and erection; litter control and pickup; and weed and overgrowth of vegetation control.

b. Provide labor for the replacement of stop signs that intersect ~~SR 95~~. US 89, US 89-B, SR 287

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until cancelled by either party, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518 (B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Room 222E  
Phoenix, AZ 85007

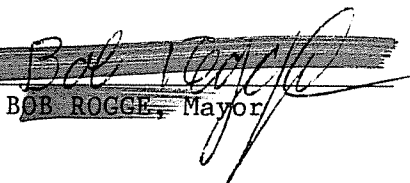
~~City of Bullhead City~~ *Town of Florence*  
~~City Manager~~ *TOWN MANAGER or Public Works Dir??*  
~~PO Box 1048~~ *600 Warner ST.*  
~~Bullhead City, AZ 86430~~ *Florence, Arizona, 85232*

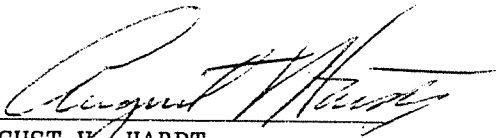
7. Attached hereto and incorporated herein is a copy of the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

~~CITY OF BULLHEAD CITY~~

STATE OF ARIZONA  
Department of Transportation

By   
BOB ROGGE, Mayor

By   
AUGUST V. HARDT  
Deputy State Engineer

~~ATTEST~~

By   
DANA SHILLING  
City Clerk

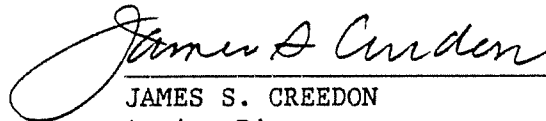
3532j  
6MAY

RESOLUTION

BE IT RESOLVED on this 20th day of February 1991, that I, JAMES S. CREEDON, as Acting Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the ~~City of Bullhead City~~ <sup>Town of Florence</sup> for the purpose of defining responsibilities for the maintenance of ~~SR 95~~ within the limits of the ~~City~~ <sup>Town</sup>

US 89, US 89-B, SR 257

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.



JAMES S. CREEDON  
Acting Director  
Arizona Department of  
Transportation

*1 can of Florence ??*

~~RESOLUTION NO. 91R-037~~

~~A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BULLHEAD CITY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF ARIZONA AND THE CITY OF BULLHEAD CITY AND AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE THE AGREEMENT FOR THE PURPOSE OF PROVIDING CERTAIN SIGNAGE AND MAINTENANCE ON STATE ROUTE 95.~~

~~WHEREAS, the State of Arizona is willing to provide replacement stop signs for streets which intersect State Route 95 with the corporate limits of the City and to provide certain services for the maintenance of State Route 95; and~~

~~WHEREAS, the City is willing to provide labor for the installation of replacement stop signs provided by the State and to provide cleaning services for State Route 95 and other minor maintenance work deemed necessary by the City's Public Works Department; and~~

~~WHEREAS, the State of Arizona is empowered by A.R.S. Section 11-952 and 28-108 Arizona Revised Statutes to enter into this agreement and the City of Bullhead City is empowered to enter into this agreement by virtue of the provisions of A.R.S. Section 11-952;~~

~~NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bullhead City hereby approves the Intergovernmental Agreement between the City and the State of Arizona and hereby authorizes the Mayor to enter into and execute said agreement on behalf of the City.~~

~~PASSED AND ADOPTED by the Mayor and City Council of the City of Bullhead City, Arizona, this 16th day of April, 1991.~~

*Bob Rogge*  
\_\_\_\_\_  
Bob Rogge, Mayor  
Date: *4/18/91*

ATTEST:

*Dana E. Shilling*  
\_\_\_\_\_  
Dana E. Shilling, CMC, City Clerk

APPROVED AS TO FORM:

*Paul Lenkowsky*  
\_\_\_\_\_  
Paul Lenkowsky, City Attorney

**CERTIFICATION**  
THE FOREGOING INSTRUMENT IS A FULL, TRUE AND CORRECT  
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.  
DATED: *June 21* 19 *91*  
ATTEST: DANA E. SHILLING, CITY CLERK OF THE CITY OF  
BULLHEAD CITY, AZ

*Dana E. Shilling*  
\_\_\_\_\_

JPA 91-18

*Town of Florence*  
APPROVAL OF THE BULLHEAD CITY ATTORNEY

*I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the CITY OF BULLHEAD CITY and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.*

DATED this 21 day of Nov, 1991.

\_\_\_\_\_  
City Attorney

1979j



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

~~Robert E. Corbin~~  
XXXXXXXXXXXXXXXXXXXX

Grant Woods

INTERGOVERNMENTAL AGREEMENT

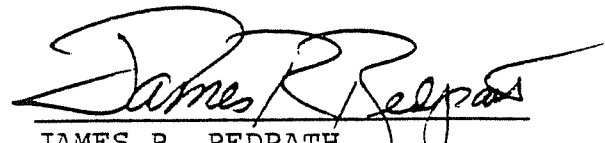
DETERMINATION

A. G. Contract No. KR910261TRD, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 28<sup>th</sup> day of June, 1991.

GRANT WOODS  
Attorney General

  
JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section